

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

10517/312

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/563462

INTERNATIONAL APPLICATION NO PCT/IB2004/002385	INTERNATIONAL FILING DATE 26 July 2004	PRIORITY DATE CLAIMED: 29 July 2003
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TITLE OF INVENTION

BATTERY PACK CAPACITY CONTROL SYSTEM

APPLICANT(S) FOR DO/EO/US

ISHISHITA, Teruo

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: **International Search Report, Written Opinion of the International Searching authority, International Preliminary Report on Patentability, marked-up copy of substitute specification**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/563462		INTERNATIONAL APPLICATION NO PCT/IB2004/002385	ATTORNEY'S DOCKET NUMBER 10517/312	
21. The following fees are submitted:				
<input checked="" type="checkbox"/> Basic National Fee..... \$ 300.00 \$ 300.00				
22 <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). \$ 100.00 All other situations \$ 200.00				
23 <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared and provided to the Office..... \$ 400.00 All other situations \$ 500.00				
TOTAL OF ABOVE CALCULATIONS \$ 900.00				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
29	0/50=0	0	x \$250	\$ -0-
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$				
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE
Total Claims		18 -20 =	0	x \$50.00 \$ -0-
Independent Claims		2 - 3 =	0	x \$200.00 \$ -0-
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ -0-
TOTAL OF ABOVE CALCULATIONS = \$ 900.00				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
SUBTOTAL = \$ 900.00				
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$ -0-				
TOTAL NATIONAL FEE = \$ 900.00				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$ 40.00 \$40.00 per property				
TOTAL FEES ENCLOSED = \$ 940.00				
<input type="checkbox"/> Amount to be refunded: \$ _____				
<input type="checkbox"/> Amount to be charged: \$ _____				
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>11-0600</u> in the amount of \$940.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0600</u> . A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO: KENYON & KENYON LLP 1500 K Street, N.W., Suite 700 Washington, DC 20005				
CUSTOMER NO. 23838				
SIGNATURE <u>John C. Altmiller</u> (Reg. No. 25,951)				
NAME: John C. Altmiller				
DATE: 05 January 2006				